HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Coram :- **Hon'ble Shri V.K.Shrivastava &**
Hon'ble Shri Dhirendra Mishra, JJ

Misc. Appeal (C) No. 470 of 2006

Appellant
Claimant

Ram Ishwar Netam, aged about 26 years, S/o Late Harishchandra Netam, R/o Village - Baridih, P.S. Ratanpur, District - Bilaspur (CG)

On behalf of : Smt Sharmila Bai, W/o Ram Ishwar Netam, aged about 23 years, resident of village Baridih, P.S. Ratanpur, District Bilaspur (CG)

Versus

Respondents

1. Sitaram, S/o Ramchandra Yadav, aged about 27 years, resident of Village - Deorikhurd, P.S. Torwa, Tahsil and District Bilaspur (CG)

2. Dinesh Das, S/o Dhanau Das, aged about 40 years, resident of Hemu Nagar Bandhawapara, P.S. Torwa, District - Bilaspur (CG)

3. The Oriental Insurance Company Limited, Through : Divisional manager, Office Opposite High Court Bilaspur (CG).

Present :- Shri Goutam Khetrapal, counsel for the appellant.

None for the respondents.

ORAL ORDER
(Dated 5th January, 2007)

The following oral order of the Court was passed by **Vijay Kumar Shrivastava, J :**

8th Additional Motor Accident Claims Tribunal (Fast Track Court), Bilaspur (henceforth "the Tribunal") vide award dated 26-8-2006 passed in claim case No.43 of 2006 allowed a compensation of Rs.4,25,700/- to the appellant. Feeling aggrieved, for enhancement of the compensation this appeal has been filed.

On 24-4-2005, a Metador bearing registration No.CG-10-ZB-0595 driven by respondent No.1 in rash and negligent manner met with an

accident. Appellant sustained multiple injuries as a result of that accident, therefore, he filed an application under Section 166 of the Motor Vehicles Act, 1988 (henceforth "the Act") claiming compensation of Rs.17,50,000/- under various heads against the driver, owner and insurer of the vehicle.

Learned Tribunal after appreciation of the evidence allowed compensation under various heads as below :

S.No.	Head	Amount
1.	Loss of future income	3,88,800=00
2.	Medical expenses	6,700=00
3.	Loss of income	6,000=00
4.	Attendant expenses	2,400=00
5.	Pains and sufferings	10,000=00
6.	Special diet	1,800=00
7.	For future treatment	10,000=00
	Total	**4,25,700=00**

During the course of arguments, learned counsel for the appellant contended that the Tribunal failed to award medical expenses.

We have gone through the award and record. It is evident that all the amount for which bills and receipts have been filed by the appellant, have been calculated by the Tribunal and actual expenses towards it has been allowed. Even incidental expenses like expenses towards attendant, special diet and towards future treatment have been provided to the appellant.

No other points have been raised by learned counsel for the appellant, during the course of arguments.

In the result, we are of the considered opinion that the appeal being devoid of substance is liable to be dismissed summarily and is accordingly dismissed *in limine*. No costs.

Sd/-
V.K. Shrivastava
Judge

Sd/-
Dhirendra Mishra
Judge

Gowri